

**Proposed Substitute
Bill No. 366**

LCO No. 5571

**AN ACT CONCERNING NOTICE OF PESTICIDE APPLICATIONS AT
PUBLIC SCHOOLS AND AUTHORIZING THE USE OF CERTAIN
MICROBIALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (c) to (e), inclusive of section 10-231c of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2015*):

4 (c) (1) On and after July 1, 2000, parents or guardians of children in
5 any school and school staff may register for prior notice of pesticide
6 application at their school. Each school shall maintain a registry of
7 persons requesting such notice. Prior to providing for any application
8 of pesticide within any building or on the grounds of any school, the
9 local or regional board of education shall provide for the mailing of
10 notice to parents and guardians who have registered for prior notice
11 under this section such that the notice is received no later than twenty-
12 four hours prior to such application. Notice shall be given by any
13 means practicable to school staff who have registered for such notice.
14 Notice under this subsection shall include (1) the name of the active
15 ingredient of the pesticide being applied, (2) the target pest, (3) the
16 location of the application on the school property, (4) the date of the
17 application, and (5) the name of the school administrator, or a

18 designee, who may be contacted for further information.

19 (2) On and after October 1, 2015, prior to providing for any
20 application of pesticide within any building or on the grounds of any
21 school, in addition to the requirements of subdivision (1) of this
22 subsection, the local or regional board of education shall provide for
23 notice of such application not less than seventy-two hours prior to
24 such application by posting the notice required by subdivision (1) of
25 this subsection on: (A) The Internet web site for the school where such
26 application will occur, (B) the Internet web site for such local or
27 regional board of education, (C) the front entrance of such school
28 where such application will occur, and (D) any bulletin board located
29 within one hundred feet of the front entrance of such school where
30 such application will occur. Any such notice posted pursuant to
31 subparagraph (C) or (D) of this subdivision shall be on a sign not less
32 than eight and one-half inches by eleven inches in size and printed in
33 all upper case lettering of not less than twelve-point boldface type of
34 uniform font.

35 (d) On and after July 1, 2000, no application of pesticide may be
36 made in any building or on the grounds of any school during regular
37 school hours or during planned activities at any school except that an
38 emergency application may be made to eliminate an immediate threat
39 to human health if (1) it is necessary to make the application during
40 such a period, and (2) such emergency application does not involve a
41 restricted use pesticide, as defined in section 22a-47. No child may
42 enter an area where such application has been made until it is safe to
43 do so according to the provisions on the pesticide label.

44 (e) On and after July 1, 2000, a local or regional board of education
45 may make an emergency application of pesticide without prior notice
46 under this section in the event of an immediate threat to human health
47 provided the board provides for notice, by any means practicable, on
48 or before the day that the application is to take place to any person
49 who has requested prior notice under this section and concomitantly
50 posts such notice at the locations and in the form described in

51 subdivision (2) of subsection (c) of this section.

52 Sec. 2. Subsections (c) and (d) of section 10-231d of the general
53 statutes are repealed and the following is substituted in lieu thereof
54 (*Effective October 1, 2015*):

55 (c) On and after July 1, 2000, parents or guardians of children in any
56 school and school staff may register for notice of pesticide application
57 at their school. Each school shall maintain a registry of persons
58 requesting such notice. Notice under this subsection shall include (1)
59 the name of the active ingredient of the pesticide being applied, (2) the
60 target pest, (3) the location of the application on the school property,
61 ~~[(3)]~~ (4) the date of the application, and ~~[(4)]~~ (5) the name of the school
62 administrator, or a designee, who may be contacted for further
63 information.

64 (d) (1) On and after July 1, 2000, a local or regional board of
65 education shall provide notice, by any means practicable, to any
66 person who has requested notice under this section on or before the
67 day that any application of pesticide is to take place at a school. No
68 application of pesticide may be made in any building or on the
69 grounds of any school during regular school hours or during planned
70 activities at any school except that an emergency application may be
71 made to eliminate an immediate threat to human health if (1) it is
72 necessary to make the application during such a period and (2) such
73 emergency application does not involve a restricted use pesticide, as
74 defined in section 22a-47. No child may enter an area of such
75 application until it is safe to do so according to the provisions on the
76 pesticide label.

77 (2) On and after October 1, 2015, prior to providing for any
78 application of pesticide within any building or on the grounds of any
79 school, in addition to the requirements of subdivision (1) of this
80 subsection, the local or regional board of education shall provide for
81 notice of such application not less than seventy-two hours prior to
82 such application by posting the notice required by subsection (c) of this

83 section on: (A) The Internet web site for the school where such
84 application will occur, (B) the Internet web site for such local or
85 regional board of education, (C) the front entrance of such school
86 where such application will occur, and (D) any bulletin board located
87 within one hundred feet of the front entrance of such school where
88 such application will occur. Any such notice posted pursuant to
89 subparagraph (C) or (D) of this subdivision shall be on a sign not less
90 than eight and one-half inches by eleven inches in size and printed in
91 all upper case lettering of not less than twelve-point boldface type of
92 uniform font.

93 Sec. 3. Section 10-231a of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective from passage*):

95 As used in sections 10-231b to 10-231d, inclusive, as amended by
96 this act, [and section 19a-79a,] (1) "pesticide" means a fungicide used
97 on plants, an insecticide, a herbicide or a rodenticide, but does not
98 mean a sanitizer, disinfectant, antimicrobial agent or pesticide bait in a
99 tamper-resistant container, (2) "lawn care pesticide" means a pesticide
100 registered by the United States Environmental Protection Agency and
101 labeled pursuant to the federal Insecticide, Fungicide and Rodenticide
102 Act for use in lawn, garden and ornamental sites or areas. "Lawn care
103 pesticide" does not include any: (A) Microbial pesticide or biochemical
104 pesticide that is registered with the United States Environmental
105 Protection Agency, (B) horticultural soap or oil that is registered with
106 the United States Environmental Protection Agency and that does not
107 contain any synthetic pesticide or synergist, or (C) a pesticide classified
108 by the United States Environmental Protection Agency as an exempt
109 material under 40 CFR 152.25, [and] (3) "integrated pest management"
110 means use of all available pest control techniques, including judicious
111 use of pesticides, when warranted, to maintain a pest population at or
112 below an acceptable level, while decreasing the use of pesticides, (4)
113 "microbial pesticide" means a pesticide that consists of a
114 microorganism as the active ingredient, and (5) "biochemical pesticide"
115 means a naturally occurring substance that controls pests by nontoxic
116 mechanisms.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	10-231c(c) to (e), inclusive
Sec. 2	<i>October 1, 2015</i>	10-231d(c) and (d)
Sec. 3	<i>from passage</i>	10-231a